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REMARKS

Claims 1, 2, 4-6, and 10 were rejected under 35 USC § 112, first paragraph because the claimed feature of a "means for transmitting" was not specifically stated in the specification. Claim 1 was amended to provide for the substitution of the offending phrase with "at least one bridge for transmitting" the contraction force. The specification, in several places supports this amendment. For example, page 11, line 27 through page 12, line 20 provides sufficient support for the amendment.

Claim 13 was rejected under 35 USC § 112, second paragraph, as being indefinite. Claim 13 has been canceled.

Claims 1,2, 4-6, and 10 were rejected again under 35 USC § 102(a) as being clearly anticipated by Ganem, et al. It appears that the Examiner is confused as to the operation of the Ganem, et al., device and the totally different operation of the present invention. In the office action, the Examiner states: "Referring to Figures 1, 2, and 4, Ganem, et al., discloses an apparatus for augmenting near vision accommodation by contraction of the ciliary muscles by contraction of the ciliary muscles of the eye by reinforcement (see page 1, lines 15-18 and line 22-24)... Ganem, et al., on the cited page and line number states: "It has been demonstrated that the ageing of the eye tended to produce an increase in the outer diameter of the crystalline lens. As a result, the zonules become 'too long' and are 'relaxed' and the impulses applied to the fibrils of the zonules no longer enable the latter to act on the crystalline lens to provoke accommodation." "An object of the present invention is to provide a device adapted

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to be implanted in the eye, which makes it possible to increase the optical power of the crystalline lens, by provoking a reduction of the radius of the curvature of its posterior face." Nowhere in the Ganem, et al., cited passage or in the entire specification is contraction of ciliary muscles ever mentioned. The only place Ganem, et al., (CA 2 358 485 A1) talks about contraction is page 1 line 11-12 in which he writes: controlled contraction of the zonules 18 provoke modification of the radii of curvature of the crystalline lens 14... (Emphasis added). None of the words in claim 1 are depicted in the lines referred to by the Examiner. In the office action, the Examiner further states: "of at least one set of natural zonular fibers, the apparatus comprising at least one bridge (ring or device 20) configured to be affixed (see Figure 2)..." The Examiner appears to interpret the term bridge, which has never been mentioned in Ganem, et al., as ring or device 20. This interpretation is improper because they are totally different devices and operate in a totally different manner as specifically described in the specification in Ganem, et al., and in the present invention. A fundamental principle contained in 35 U.S.C. 112, second paragraph is that applicants are their own lexicographers. They can define in the claims what they regard as their invention essentially in whatever terms they choose so long as any special meaning assigned to a term is clearly set forth in the specification. See MPEP §2111.01. The term "bridge" in the specification is defined as "direct pressure transmission bridges between the ciliary muscles and the lens capsule so that upon contraction of the ciliary muscle, the hoop pressure is directly transmitted to the anterior region of the lens capsule and thus forces the lens to become more spherical, and accommodate for near vision". See page 18, line 32. The different configurations of the "bridges" are shown and described in Figs. 5a, 5b, 6b, 7b, 8b, 9b, 10b and 11b. None of these configurations are of a ring or

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truncated cone. Thus, the Examiner's conclusion that the ring or device of Ganem, et al., is a "bridge" as set forth in the claims, is erroneous.

Further the examiner states: "in and around the at least one set of natural zonular fibers, wherein said at least one bridge transmit an augmented contraction force for constricting the natural crystalline lens..." Again, there are no such words or phrases in Ganem, et al., nor is the feature even implied in Ganem, et al. Further, Ganem, et al., claims a truncated cone (page 3, lines 17-18, and claims 1 and 13) to his ring or device. This is not a bridge, as is claimed and specifically described, between the ciliary muscles and the lens capsule. Further, Ganem, et al., does not describe or claim contraction or constricting of the lens capsule to achieve accommodation. In fact Ganem, et al., on page 2 line 27 and page 3 lines 23-28 and page 4 lines 1-8 and according to Figure 3, the truncated cone flexes the zonules backwardly so that the point of attachment of the zonules to the lens capsule moves backward by an amount d (Fig 3) and outward by an amount e (Fig 3) to point C. Thus, Ganem, et al's., device actually stretches the capsule outward to increase the diameter of the lens capsule. The present invention does the opposite because it actually reduces the diameter of the lens capsule when the ciliary muscles are contracted and a constricting force is transmitted by the bridges to the lens capsule. An affidavit by Moshen Shahinpoor, is attached hereto to corroborate these contentions.

Further, the Examiner indicates that the Applicant's arguments regarding the amendments to claim 1 to claim similar features to allowable claim 12 are erroneous. The Applicant respectfully traverses this contention.

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Having responded to each and every objection and rejection raised by the Examiner, it is believed that the patent application is now in condition for allowance, and such allowance is respectfully requested. If the Examiner has any questions or suggestions for expediting an allowance in this matter, the Examiner is invited to call the undersigned collect.

The Commissioner is authorized to charge any fees or credit any overpayment under 37 CFR §§ 1.16 and 1.17 which may be required during the entire pendency of the application to Deposit Account No. 01-2335.

Respectfully submitted,

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